REMARKS

Applicants respectfully request reconsideration of this application, and reconsideration of the Office Action dated November 23, 2004. Upon entry of this Amendment, claims 1 and 6-15 will remain pending in this application. The amendments to the claims are supported by the specification and original claims. No new matter is incorporated by this Amendment.

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Claims 1 and 10-15 are rejected under 35 U.S.C. §112, second paragraph, as purportedly indefinite.

With respect to claims 1, 10, 11, 12, and 14, the Office Action asserts the terminology "an original scanner" and "an original set" is unclear. First, it must be recalled that the term "original" long has been used in the image forming machine (i.e. copiers and the like) art to refer to the document being imaged (eg. copied). In this context, an "original scanner" simply is an element of the overall claimed push type scanner apparatus that scans the original document. The original document itself is "set" in the push type scanner apparatus to be scanned by the "original scanner".

The remaining issues pointed out in the Office Action with respect to indefiniteness concern antecedent basis problems. In response, Applicants have carefully reviewed, and where necessary, revised the claims to ensure that each feature has proper antecedent basis.

Hence, in view of the above remarks, Applicants submit this rejection is overcome and request it be withdrawn.

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Claims 1, 3-5, 9-12, and 14 are rejected under 35 U.S.C. §102(e) as purportedly

anticipated by Saito (U.S. Patent 6,480,884). The Office Action asserts Saito discloses

each feature of the listed claims and thus anticipates the claimed invention. Applicants

respectfully traverse this rejection.

Applicants first address independent claim 1 (from which claims 6-9 depend).

Claim 1 defines a push type scanner apparatus capable of transmitting image data through

a network. As amended, claim 1 describes the apparatus as including an address book

data obtaining means for obtaining address book data from some other predetermined

data processing apparatus. This other processing apparatus also is connected to the

network. The claimed apparatus obtains such address book data in response to user data

and a password entered (at the claimed apparatus) by a user. The recited address

specifying means then specifies an address from the address book data (obtained by the

address book data obtaining means) as the destination address for transmitting image data.

The claimed arrangement thus enables a user to access a computer or the like remote from

the scanner apparatus simply by entering user data and a password (at the claimed push

type scanner apparatus). The remote access is to obtain personal address book data from

such computer so that such data can be used by the user to select a destination address for

image data. The destination address usually would be of some third device also

connected over the recited network.

The Office Action asserts Saito at Column 5, Lines 15-22 discloses the above

features of claim 1. However, the address book data disclosed in Saito corresponds to

address book data stored in RAM 13 <u>within</u> Saito's internet facsimile apparatus (I FAX).

In contrast to Applicants' claimed invention, Saito's I FAX does not access an address

book from <u>some other device</u>, e.g. PC 1 on Saito's LAN 6, but looks to its own memory, RAM 13, for address book information. Saito simply does not suggest the objective of the present invention of enabling a user to access his or her personal address book data, stored in his or her computer, by entering the proper user data and password at the claimed push type scanner. Thus, in this regard, the push type scanner apparatus of claim 1 has much greater capability than the internet scanner apparatus shown in Saito. Further, because of the remote access capability of the claimed scanner apparatus, it is not necessary to store address book data of the device to be accessed remotely. Hence, the capacity of the address memory in the claimed scanner does not need to be large.

For at least these reasons, Applicants submit that Saito fails to teach or fairly suggest their claimed arrangement with the recited address book data obtaining means. Hence, Saito fails to teach or fairly describe the arrangement of independent claim 1, and cannot anticipate claim 1.

*   *   *   *   *

Applicants now turn to independent claims 10 and 11 which concern a push type scanner apparatus, and claims 12 and 14 which concern an image data transmitting and receiving system. Each of claims 10-12 and 14 defines the apparatus or system as including a "transmission executing means" that transmits the image data of an original <u>directly</u> to a personal computer at an IP address. This feature is explained at page 18, line 25 to page 19, line 9, and at page 21, line 21 to page 22, line 2 of the present specification. Data flow is illustrated in Figure 1. Saito neither teaches nor fairly suggests an arrangement with such a transmission executing device, and thus for at least this reason fails to anticipate these claims.

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The Office Action asserts that the transmission executing means of claim 10 is disclosed by Saito at Column 5, Lines 15-22. However, from Column 4, Lines 57-67 of Saito, it becomes clear that Saito teaches no more than sending mail over the internet. Saito does not teach Applicants' claimed arrangement with the recited "transmission executing means" that sends image data directly to a designated personal computer at a particular IP address. Hence, as stated above, Saito fails to teach each and every feature of independent claims 10-12 and 14 and thus cannot anticipate these claims.

In view of the above, Applicants submit that this rejection is overcome and request that it be withdrawn

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Claim 2 was rejected under 35 U.S.C. §103(a) as purportedly obvious based on Saito in view of Ishibashi et al. (U.S. Patent. 6,374,291).

Claim 2 is canceled by this Amendment thereby rendering this rejection moot.

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Claim 6 is rejected under 35 U.S.C. §103(a) as purportedly obvious based on Saito in view of Balogeh et al. (U.S. Patent. 5,893,101).

In addition, claim 7 and 8 are rejected under 35 U.S.C. §103(a) as purportedly obvious based on Saito in view of Donaldson et al. (U.S. Patent. 6,321,267).

These two rejections are addressed together as similar issues apply to both. Applicants respectfully traverse both rejections.

Claims 6-8 each depend from claim 1. The deficiencies of Saito with respect to claim 1 are discussed above. Neither Balogeh nor Donaldson remedies these deficiencies. None of the cited documents teaches or fairly suggests Applicants' scanner arrangement wherein image data read by an original scanner is transmitted directly to a personal

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computer at an IP address. Nothing in the combined teachings of these documents would have led those of ordinary skill to such an arrangement. Hence, Applicants respectfully submit this rejection is also overcome and requests it be withdrawn.

* * * * *

Claims 13 and 15 are rejected under 35 U.S.C. §103(a) as purportedly obvious based on Saito in view of Ishibashi et al. Applicants also respectfully traverse this rejection.

Claim 13 depends from claim 12 and claim 15 depends from claim 14. The deficiencies of Saito with respect to claims 12 and 14 are discussed above. Ishibashi fails remedy these deficiencies. Thus, neither Saito nor Ishibashi teaches or fairly suggests the claimed invention. Nothing in the combined teachings of these documents would have motivated those of ordinary skill to have arrived at the claimed invention. Hence, Applicants respectfully submit this rejection is overcome and request it be withdrawn.

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Before closing, Applicants offer rebuttal in connection with certain of the dependent claims. For instance, in connection with claim 9, the Examiner has been understood to contend that Saito discloses an expression storing means storing a set expression used to create a text writing of mail. Applicants respectfully submit that this contention is erroneous because Saito shows only a transferring technique for transferring an image to text code on the basis of attached image data that must be coded when sending mail with the read image data. Therefore, Applicants submit that Saito does not show a storing means for storing set expressions for a text writing of mail.

With regard to claim 7, the Examiner is understood to assert Donaldson as showing limiting transmission data on the basis of the domain name of an address.

However, in Applicants' view, Donaldson does not show limiting transmission, but rather teaches that data cannot be delivered if an address is misspelled or does not coincide with a proper address. In Donaldson, the mail is sent at least to a send-server. Therefore, Donaldson does not show limiting data transmission to a destination address by corresponding the domain name of the destination address to the domain names stored in the store means.

Lastly, as to claims 13 and 15, the Examiner is regarded as asserting that Ishibashi shows registering a password of a folder for storing image data set by a user. In Applicants' view, the password taught in Ishibashi is one only to restrict a user from a network scanner, and not a password set on folders to send data. Ishibashi does not adopt a certification with the password. Ishibashi only limits a user to either permit or prohibit the sending of mail.

Applicants respectfully submit that this Amendment and the above remarks obviate the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 032739.058.

If an extension of time under 37 C.F.R. §1.136 is necessary that is not accounted

for in the papers filed herewith, such an extension is requested. The extension fee should

be charged to Deposit Account No. 02-4300; Order No. 032739.058.

Respectfully submitted,

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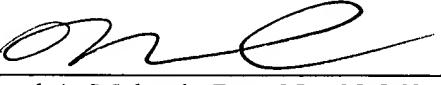
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